

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

In re:

GRAND JURY PROCEEDINGS

Grand Jury Room No. 4  
United States District Court  
for the District of Columbia  
3rd & Constitution, N.W.  
Washington, D.C. 20001  
Tuesday, February 17, 1998  
The testimony of DAVID STEPHEN GOODIN was taken in  
the presence of a full quorum of Grand Jury 97-2, impaneled  
on September 19, 1997, commencing at 1:57 p.m., before:  
SOLOMON WISENBERG  
STEPHEN BINHAK  
MARY ANNE WIRTH  
Associate Independent Counsel  
Office of Independent Counsel  
1001 Pennsylvania Avenue, Northwest  
Suite 490 North  
Washington, D.C. 20004

Whereupon,  
DAVID STEPHEN GOODIN  
was called as a witness and, after having been duly sworn by  
the Foreperson of the Grand Jury, was examined and testified  
as follows:

EXAMINATION  
BY MR. WISENBERG:  
Q Good afternoon. Would you state and spell your  
name for the record, please, sir?  
A Full name?  
Q Sure.  
A David Stephen Goodin, D-a-v-i-d S-1-e-p-h-e-n  
G-o-o-d-i-n.  
Q Mr. Goodin, my name is Sol Wisenberg. I'm with the  
Office of Independent Counsel. I'm here with my colleagues  
Stephen Binhak and Mary Anne Wirth, also attorneys with the  
Office of Independent Counsel, the members of the grand jury  
and the grand jury court reporter.  
I'm going to before we begin tell you a little bit  
about the grand jury's authority and about your rights and  
responsibilities as a grand jury witness. Do you understand?  
A Yes, I do.  
Q Occasionally, I will ask you whether or not you  
understand certain things and we'll need an audible response,

a yes, a no, a maybe, as opposed to a shaking of the head, so  
that the court reporter can get it down.  
A I understand.  
Q This is a grand jury empaneled by a United States  
district judge here in the district conducting an  
investigation of possible violations of federal criminal laws  
involving possible perjury, obstruction of justice and  
subornation of perjury.  
I'm going to read to you from a portion of the  
order from the U.S. Court of Appeals granting this grand jury  
its authority.  
"The Independent Counsel shall have jurisdiction  
and authority to investigate to the maximum extent authorized  
by the independent Counsel Reauthorization Act of 1994  
whether Monica Lewinsky or others suborned perjury,  
obstructed justice, intimidated witnesses or otherwise  
violated federal law other than a Class B or C misdemeanor  
or infraction in dealing with witnesses, potential witnesses,  
attorneys or others concerning the civil case Jones v.  
Clinton."  
Do you understand that I just read to you from the  
court's order?  
A Yes, I do.  
Q Let me tell you a little bit about your rights and  
responsibilities. You have what's called a privilege against

self-incrimination which means you may refuse to answer any  
question if a truthful answer to the question would tend to  
incriminate you. Do you understand that?  
A- I do.  
Q Anything that you do say may be used against you by  
the grand jury or in a later legal proceeding. Do you  
understand that?  
A I do.  
Q If you have retained counsel, he cannot sit in the  
grand jury room with you, but the grand jury will permit you  
a reasonable opportunity to step outside the grand jury room  
to consult with your counsel if you so desire. Do you  
understand that?  
A I do.  
Q Are you represented here today by counsel?  
A Yes, I am.  
Q And tell us who that might be.  
A Mr. Rick Gripley.  
Q All right. And are you involved in a joint defense  
agreement with any other individuals in relation to what we  
are doing here today?  
A No, I am.  
Q Let me tell you a little bit about grand jury  
secrecy. Myself, my colleagues, the court reporter and the  
grand jurors are all, with certain exceptions, well

recognized legal exceptions, we're all bound by an oath of  
secrecy about what goes on here at the grand jury. Do you  
understand that?  
A I do understand that.  
Q We can't go blab about it to the press, we can't go  
out on the courthouse steps and talk about it. You, on the  
other hand, are not bound by such an oath. You are free to  
talk about it to anybody you want to or to not talk about it,  
that's a matter between you and your attorney. Do you  
understand?  
A Yes, I do.  
Q I said there are certain exceptions to our oath of  
secrecy and let me tell you what some of them are. This  
isn't exhaustive, it's just some examples.  
One would be if there's any trial that ever results  
from this investigation and you were to be a witness in that  
trial and you were to say something different than what you  
say here today, somebody could stand up, one of the lawyers,  
and say, "Excuse me, I have a transcript of Mr. Goodin's  
grand jury testimony and he said something different there  
than what he's saying on the stand." Do you understand that?  
A Yes, I do.  
Q Another example would be we have FBI agents who  
helping us in this investigation. We're allowed to tell them  
about what goes on in the grand jury, but they're also

subject to grand jury secrecy. They can't go blab it. Do  
you understand that?  
A Yes, I do.  
Q Another example would be Independent Counsels.  
Under the law authorizing Independent Counsels, there are  
certain instances where the Independent Counsel makes a  
report to Congress, the Independent Counsel can reveal grand  
jury information but only if he or she gets a court order  
allowing him to do so. Do you understand that?  
A Yes.  
Q All right. There are three kinds of people who  
come before grand juries to give testimony: witnesses,  
subjects and targets. I'm giving you informal definitions  
here, but a target is somebody who the grand jury and the  
prosecutor feel it's more than likely that they're going to  
be indicted. Do you understand that?  
A Yes, I do.  
Q You are not a target. Do you understand that?  
A Yes, I do.  
Q A subject is somebody who's not a target, but the  
grand jury might have suspicions about him or her, the grand  
jury wants to hear their story. Do you understand that?  
A Yes, I do.  
Q You are not a subject. Do you understand that?  
A Yes, I do.